

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

STEVES AND SONS, INC.,

Plaintiff,

v.

Civil Action No. 3:20-cv-98

JELD-WEN, INC.,

Defendant.

ORDER

The parties having advised the Court that they have settled this action and resolved the issues underlying PLAINTIFF STEVES AND SONS, INC.'S MOTION FOR FURTHER RELIEF UNDER 28 U.S.C. § 2202 (ECF No. 2043) in the related action, Steves and Sons, Inc. v. JELD-WEN, Inc., 3:16-cv-545, and the parties having represented that they shall submit their stipulation of dismissal by June 18, 2020, it is hereby ORDERED that:

(1) DEFENDANT JELD-WEN, INC.'S MOTION TO DISMISS COUNTS ONE AND TWO OF PLAINTIFF STEVES AND SONS, INC.'S FIRST AMENDED COMPLAINT FOR FAILURE TO STATE A CLAIM (ECF No. 144) is DENIED as moot; and

(2) The UNOPPOSED MOTION TO REFUND CASH BOND (ECF No. 263) is GRANTED. The \$1 million cash bond posted as security for the preliminary injunction and recorded under Cash Receipt CQC-VAEDCLERK20-00012 shall be refunded to Steves and Sons, Inc. by

the Clerk for the Eastern District of Virginia. The check shall be made payable and directed to:

Steves and Sons, Inc.
P.O. Box 1866
San Antonio, Texas 78927

It is so ORDERED.

/s/

REP

Robert E. Payne
Senior United States District Judge

Richmond, Virginia
Date: June 5, 2020